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ORACLE AMERICA, INC.

21   UNITED STATES DISTRICT COURT

22   NORTHERN DISTRICT OF CALIFORNIA

23   SAN FRANCISCO DIVISION

24   ORACLE AMERICA, INC.   Case No. CV 10-03561 WHA

25   Plaintiff,   **DECL. OF ANDREW D. SILVERMAN IN
         v.   SUPPORT OF ORACLE'S OPPOSITIONS TO
26   GOOGLE INC.   GOOGLE'S MOTIONS IN LIMINE NOS. 3 & 5**

27   Defendant.   Hearing: TBA
                                           Dept.: Courtroom 8, 19th Floor
                                           Judge: Honorable William H. Alsup
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I, Andrew D. Silverman, declare and state as follows:

1.   I am a member of the bars of the States of California, New York, and the District of Columbia, admitted to practice before this Court, and an associate with the law firm of Orrick, Herrington & Sutcliffe LLP ("Orrick"), attorneys of record for plaintiff Oracle America, Inc. ("Oracle"). I am familiar with the events, pleadings and discovery in this action and, if called upon as a witness, I could and would testify competently to the matters stated herein of my own personal knowledge. I submit this declaration in support of Oracle's Oppositions to Google's Motions *in Limine* Nos. 3 & 5 Regarding Privacy & Antitrust (ECF 1558) and the Lindholm Email (ECF 1555).

2.   Attached hereto as Exhibit A is a true and correct copy of an email from Lisa T. Simpson to Matthias Kamber dated November 11, 2015.

3.   Attached hereto as Exhibit B is a true and correct copy of an email from Matthias Kamber to Lisa T. Simpson dated November 25, 2015.

4.   Attached hereto as Exhibit C is a true and correct copy of an email from Reid Mullen to Robert Uriarte dated April 26, 2016.

5.   Attached hereto as Exhibit D is a true and correct copy of the relevant excerpts of the Deposition of Timothy Lindholm, dated September 7, 2011.

6.   Attached hereto as Exhibit E is a true and correct copy of the relevant excerpts of the Deposition of Daniel Morrill, dated July 12, 2011.

7.   Attached hereto as Exhibit F is a true and correct copy of the relevant excerpts of the Deposition of Aditya Kumar Agarwal, dated April 8, 2011.

8.   Attached hereto as Exhibit G is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of Andrew Rubin, dated August 18, 2011.

9.   Attached hereto as Exhibit H is a true and correct copy of the relevant excerpts of the Deposition of Urs Hozle, dated November 24, 2015.

10.   Attached hereto as Exhibit I is a true and correct copy of the relevant excerpts of the Deposition of Eric Schmidt, dated August 23, 2011.

11.   Attached hereto as Exhibit J is a true and correct copy of the relevant excerpts of

- 2 -

1   the Deposition of James Kolotorous, dated January 26, 2016.

2   I declare under penalty of perjury under the laws of the United States the foregoing is true

3   and correct.

4   Executed this 29th day of April, 2016, at New York, NY.

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6   */s/ Andrew D. Silverman*

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SILVERMAN DECL. ISO ORACLE'S OPPS. TO
GOOGLE'S MIL NOS. 3 & 5
CV 10-03561 WHA